



**In the High Court of Justice  
King's Bench Division  
Administrative Court**



**In the matter of an application for judicial review**

**THE KING**

**on the application of**

**MATTHEW CAMPBELL**

**Claimant**

**-and-**

**HIS MAJESTY'S ATTORNEY GENERAL FOR ENGLAND AND WALES**

**Defendant**

**On the claimant's application for permission to apply for judicial review**

Following consideration of the documents lodged by the Claimant, the Acknowledgement of Service and Summary Grounds of Resistance of the Defendant and the Claimant's Reply

**ORDER by the Hon. Mr Justice Chamberlain:**

1. Preliminary issue: Prior to the determination of permission to apply for judicial review, there is to be a hearing of a preliminary issue as to whether the challenged decision is justiciable, with a time estimate of 1 day.
2. Case management directions:
  - (a) The parties are to agree the contents of a hearing bundle containing only those documents necessary for the determination of the preliminary issue. This bundle must be no more than 200 pages long. It must be filed not less than 28 days before the date of the hearing of the preliminary issue. An electronic version of the bundle is to be prepared and lodged in accordance with the Guidance on the Administrative Court website. The parties must, if requested by the Court lodge 2 hard-copy versions of the hearing bundle.
  - (b) The Claimant must file and serve a Skeleton Argument not less than 21 days before the date of the hearing of the preliminary issue.
  - (c) The Defendant must file and serve a Skeleton Argument not less than 14 days before the date of the hearing of the preliminary issue.

- (d) The parties are to agree the contents of a bundle containing the authorities to be referred to at the hearing. An electronic version of the bundle is to be prepared in accordance with the Guidance on the Administrative Court website. The parties must, if requested by the Court, prepare a hard-copy version of the authorities bundle. The electronic version of the bundle and if requested, the hard copy version of the bundle, are to be lodged with the Court not less than 7 days before the date of the hearing of the preliminary issue.
3. Further directions for the determination of permission will be given at or after the hearing of the preliminary issue.

### **REASONS**

The claimant's brother was killed in the North Tower of the World Trade Centre in New York City on 11 September 2001. At an inquest on 29 January 2013, the Senior Coroner for West London recorded that the circumstances of the death were that an aircraft was deliberately flown into the building, causing its collapse. The claimant considers that there is subsequent evidence that the tower collapsed not because of the impact of the aircraft but because of an explosion caused by pre-planted explosives and/or incendiaries. He seeks a new inquest under s. 13 of the Coroners Act 1988. An application under that provision requires the Attorney General's authority (or fiat). That was refused on 4 January 2024. By this claim, the claimant challenges that decision.

The claimant's bundle runs to some 9,000 pages. One of the points taken by the defendant in response to the claim is that the challenged decision is not justiciable at all, at least in the absence of any pleaded allegation that it was tainted by bad faith.

Substantial judicial resources would be involved in considering the application for permission. The justiciability point is likely to be of relevance to other cases. It is accordingly in the public interest for that point to be determined as a preliminary issue.

Signed: **Mr Justice Chamberlain** Dated: **5/12/24**

**The date of service of this order is calculated from the date in the section below**

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**For completion by the Administrative Court Office**

Sent / Handed to

**either** the Claimant, and the Defendant [and the Interested Party]  
**or** the Claimant's, and the Defendant's [and the Interested Party's] solicitors

Date: **5<sup>th</sup> December 2024**

Solicitors:

Ref No.